

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLICATION NO. 09/987,758
ATTORNEY DOCKET NO. Q67075

AMENDMENTS TO THE DRAWINGS

Applicant herein amends the sole Drawing Figure with element labels. No new matter has been added to the Drawing Figure. Applicant submits that the objection to the drawings has been overcome.

Attachment: One (1) Annotated Sheet

One (1) Replacement Sheet

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REMARKS

Applicant thanks the Patent Office for acknowledging Applicant's claim to foreign priority, and for indicating that the certified copy of the priority document, French Patent Application No. 0014906 dated November 17, 2000, has been made of record in the file.

Applicant thanks the Examiner for initialing the references listed on the PTO-1449 form submitted with the Information Disclosure Statement filed on November 15, 2001, thereby confirming that the listed references have been considered.

Claims 1-11 have been examined on their merits.

Applicant thanks the Patent Office for indicating that claims 6-10 are allowed.

Applicant herein editorially amends claims 2-5 to remove awkward language. The amendments to claims 2-5 were not made for reasons of patentability.

Applicant herein rewrites claim 11 in independent form. Applicant also adds new claims 12-14. Claim 12 has recitations that are similar to claim 6, claim 13 has recitations similar to claim 7 and claim 14 has recitations similar to claim 9. Applicant submits that claims 12-14 are allowable for at least the same reasons as claims 6, 7 and 9. Applicant respectfully requests that the Patent Office indicate that new claims 12-14 are allowable in the next communication from the Patent Office.

Claims 1-14 are all the claims presently pending in the application.

1. Claims 1, 2, 4 and 11 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Hellberg (U.S. Patent No. 6,324,559). Applicant traverses the rejection of claims 1, 2, 4 and 11 for at least the reasons discussed below.

To support a conclusion that a claimed invention lacks novelty under 35 U.S.C. § 102, a single source must teach all of the elements of a claim. *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1379, 231 U.S.P.Q. 81, 90 (Fed. Cir. 1986). A claim is anticipated only if each and every element as set forth in the claim is found either expressly or inherently in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). A single source must disclose all of the claimed elements arranged as in the claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Thus, the cited reference must clearly and unequivocally disclose every element and limitation of the claimed invention.

Hellberg fails to teach or suggest at least choosing the length of the Discrete Fourier Transform (LDFT) and the length of the Inverse Discrete Fourier Transform (LIDFT) to enable oversampling to be performed together with filtering, as recited in claim 1. It is well known that the value of 3.84 MHz for an input sampling frequency given for a UMTS-type system corresponds to the modulation rate of the input signal. Hellberg fails to teach or suggest that a proper choice of values for LDFT and LIDFT enable oversampling to be performed together with filtering, *i.e.*, to use, as an input sampling frequency, the natural sampling rate of the modulation of the input signal, without requiring more rapid and more expensive sampling.

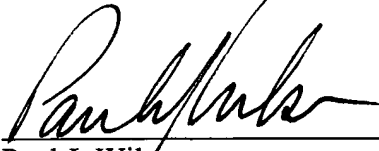
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Based on the foregoing reasons, Applicant submits that claim 1 is allowable, and further submits that claims 2 and 4 are allowable as well, at least by virtue of their dependency from claim 1. Applicant further submits that new independent claim 11 is allowable as well for at least the same reasons as claim 1. Applicants respectfully request that the Patent Office withdraw the § 102(e) rejection of claims 1, 2, 4 and 11.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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